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PPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
09/700,643	02/02/2001	.Hirokazu Matsumoto	2523US0P	5991	
23115	7590 05/16/2003				
TAKEDA PHARMACEUTICALS NORTH AMERICA, INC INTELLECTUAL PROPERTY DEPARTMENT 475 HALF DAY ROAD			EXAMI	EXAMINER	
			NGUYEN, BA	NGUYEN, BAO THUY L	
SUITE 500 LINCOLNSHI	IRE, IL 60069	•	ART UNIT	PAPER NUMBER	
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			DATE MAILED: 05/16/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examin r			*				
Examin r Bao-Thuy L. Nguyen 1641 1641		Application No.	Applicant(s)				
Bao-Thuy L Nguyen 1641 -77 MAILING DATE of this communication appears on the cov r she t with the correspondenc address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the period for reply specified above is less than thirty (30 days, a ray ply within the statedory minimum of thinty (30) days will be considered timely. If the period for reply specified above is less than thirty (30 days, a ray ply within the statedory minimum of thinty (30) days will be considered timely. If the period for reply specified above is feet than thirty (30 days, a ray power) within the statedory minimum of thinty (30) days will be considered timely. If the period for reply specified above is feet than thirty (30 days, a ray power) within the statedory minimum of thinty (30) days will be considered timely. If the period for reply specified above is feet the mailing date of this communication, even if timely filed, may reduce a ray secure and period to the state of this communication. By Calmin (S) and the state of the state of this communication is non-final. Calmin (S) and this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims A) Of the above claim(s) is/are allowed. Claim(s) is/are allowed. Claim(s) is/are allowed. Claim(s) is/are allowed. Claim(s) is/are subject to restriction and/or election requirement. Application Papers P) The proposed drawing correction filed on is/are. all accepted or b) objected to by the Examiner. Application Papers Application Papers Claim(s) is/are allowed. Claim(s) is/are allowed. Claim(s) is/are allowed. Claim(s) is/are allowed. Claim(s) 1-9 are subject to restriction and/or election requirement. Application Papers Cl		09/700,643	MATSUMOTO ET AL.				
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THE MAILING DATE OF THIS COMMUNICATION. Extensions of time map be available under the provisions of 3 CPT R1.35(a). In no event, however, may a reply be timely filed after SIX (6) MCNTHS from the malling date of this communication. Extensions of time map be available under the provision of 3 CPT R1.35(a). In no event, however, may a reply be timely filed after SIX (6) MCNTHS from the malling date of this communication. Fallule to reply whith the set or extended pariod for reply will, by statistic, cause the application to become ARANDONED (35 U.S. C. § 133). Any reply excelled by the Office Most than three normals after his malling date of this communication, even if limely filed, may reduce any statistic term adjustment. Sea 3 CPTR 7.174(b). Status 1) Responsive to communication(s) filed on <u>02 February 2001</u> . 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1:2 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are a subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The proposed drawing correction filed on is/are: a) approved by the Examiner. 11) The proposed drawing correction filed on is/are: a) approved by the Examiner. 12) The oath or declaration is objected to by the Examiner. 11) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 120 a							
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Application/Control Number: 09/700,643

Art Unit: 1641

DETAILED ACTION

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

- a. Group I, claim(s) 1-3 and 7-8, drawn to a monoclonal antibody specifically reactive with a C-terminal partial peptide of the 19P2 ligand, and method of assay.
- b. Group II, claim(s) 4-8 drawn to drawn to a monoclonal antibody specifically reactive with an intermediate partial peptide of the 19P2 ligand, and method of assay.
- c. Group III, claim(s) 9, drawn to a hybridoma cell.
- **2.** The inventions listed as Groups I, II and III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

The monoclonal antibody of group I and group II are different because they have different physical characteristics such as structure, sequence and binding characteristics.

The hybridoma of Group III differs from the monoclonal antibodies of groups I and II because they have different physical characteristics.

The inventions listed as Groups I, II and III do not have a single technical feature. Even though the monoclonal antibodies are recited as specifically binding to a partial peptide of the 19P2 ligand, this peptide is not, per se, a feature of the claimed inventions.

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3. Applicant is advised that the reply to this requirement to be complete must include an

election of the invention to be examined even though the requirement be traversed (37 CFR

1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention,

the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the

currently named inventors is no longer an inventor of at least one claim remaining in the

application. Any amendment of inventorship must be accompanied by a request under 37 CFR

1.48(b) and by the fee required under 37 CFR 1.17(i).

4. Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Bao-Thuy L. Nguyen whose telephone number is (703) 308-4243. The

examiner can normally be reached on Tuesday - Thursday from 9:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Long V. Le can be reached on (703) 305-3399. The fax phone numbers for the

organization where this application or proceeding is assigned are (703) 308-4242 for regular

communications and (703) 308-3014 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 308-0196.

Bao-Thuy L. Nguyen
Primary Examiner

Art Unit 1641

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May 9, 2003